

Message Text

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13

ORIGIN COME-00

INFO OCT-01 EUR-25 ISO-00 AID-20 CEA-02 CIAE-00 EB-11

FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02 SP-03 STR-08

TRSE-00 LAB-06 SIL-01 SAM-01 OMB-01 TAR-02 /096 R

66610

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TNAD/OTP:IEPR:DBROHR

STATE:OT:TA:WADAMS

STR:DWHITNACK

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R 071510Z MAY 74

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE

INFO USMISSION EC BRUSSELS

AMEMBASSY BRUSSELS

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E.O. 11652: N/A

TAGS: BEXP, BE, NL

SUBJ: AMERICAN HOIST AND DERRICK CO., TARIFF CLASSIFICATION
PROBLEM

REF: THE HAGUE 1904

1. AMERICAN HOIST REP INFORMED US IN OCTOBER 1973 THAT
FIRM DID NOT WISH TO FURTHER PRESS GON OR EC OFFICIALS FOR
RECLASSIFICATION CRAWLER LIFTING CRANES. THIS DECISION
TAKEN AFTER ADVERSE GON RULING AND DOORNBOS' SUCCESS IN
IMPORTING CRANES UNDER LOWER DUTY CLASSIFICATION THROUGH
BELGIUM. AMERICAN HOIST DID NOT WISH TAKE RISKS INVOLVED
ESCALATING ISSUE, PARTICULARLY POSSIBILITY LOSING MORE
FAVORABLE CUSTOMS TREATMENT IN BELGIUM. HOWEVER, U.S.
FIRM RECENTLY INFORMED BY DOORNBOS THAT, PER NORMAL
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PROCEDURE, QUESTION HAS BEEN REFERRED BY GON TARIFF COURT

TO EC COURT IN LUXEMBOURG FOR DETERMINATION CUSTOMS
TREATMENT IN ALL EC COUNTRIES. ON THIS BASIS, AMERICAN
HOIST DECIDED TO GO AHEAD WITH NECESSARY LEGAL STEPS
IN ATTEMPT TO OBTAIN RECLASSIFICATION TO CXT 8422.
ALTHOUGH INDICATING THAT DOORNBOS HAS BEEN GIVEN GREEN
LIGHT, AMERICAN HOIST REP CLAIMS NOT TO UNDERSTAND
LEGAL PROCESS AND WOULD APPRECIATE ANY AVAILABLE INFO
EMBASSY MAY HAVE THIS REGARD. IN LIGHT FIRM'S DECISION
TO PURSUE EC LEGAL COURSE, SEE NO NEED FOR FURTHER
EMBASSY REPRESENTATIONS.

2. FYI. U.S. SEEKING DUTY REDUCTION IN CXT 8423A1,
INCLUDING EXCAVATING CRANES, IN CONTEXT GATT ARTICLE
XXIV:6 NEGOTIATIONS. CONCESSION WOULD NARROW DUTY
RATE DISPARITY. END FYI. RUSH

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Message Attributes

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Capture Date: 01 JAN 1994
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Draft Date: 07 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: COMM:TNAD/OTP:IEPR:FSIESSEGER
Enclosure: n/a
Executive Order: N/A
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Handling Restrictions: n/a
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Legacy Key: link1974/newtext/t19740568/aaaacikd.tel
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Review Exemptions: n/a
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30 JUN 2005

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